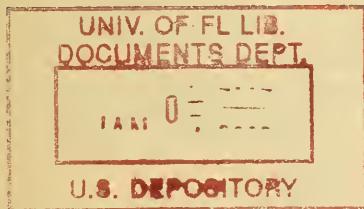


NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION
FOR THE
WOMEN'S BELT INDUSTRY

AS APPROVED ON DECEMBER 29, 1934



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Approved Code No. 41—Amendment No. 2

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

WOMEN'S BELT INDUSTRY

As Approved on December 29, 1934

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ORDER

**APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE
WOMEN'S BELT INDUSTRY**

An application having been made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Women's Belt Industry, and an opportunity to be heard having been afforded thereon, and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President,

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to the authority vested in it by the Executive Orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise, does hereby incorporate, by reference, said annexed report, and does find that said amendment and the code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended;

PROVIDED, HOWEVER, that subsection 5 of Section A, and subsection 9 of Section B, of Article VI of the Code as approved October 3, 1933, be and they hereby are stayed until such time as a subsequent Order is issued thereon either amending said subsections or terminating this Stay.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

PRENTISS L. COONLEY,

Acting Division Administrator.

WASHINGTON, D. C.,

December 29, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: The Code Authority for the Code of Fair Competition for the Women's Belt Industry has submitted a proposed amendment to this Code. After conferring with members of the Code Authority and representatives of the various Advisory Boards of the National Recovery Administration, notice of opportunity to be heard, dated October 27, 1934, was published and distributed to all members of the Industry, said notice having expired on November 16, 1934, with no criticisms of, objections to, or suggestions having been submitted to the National Recovery Administration.

This amendment amends the Code by deleting from Article VI subsection 8 of Section B and by adding a new Article designated as Article VIII and entitled "Assessments", Sections 1, 2 and 3.

Deletion of said subsection 8 was requested by the Code Authority for the Industry at the time of submission of the amendment for approval because of its inconsistency with the new Article VIII.

This new Article VIII is designed to authorize the Code Authority to incur such reasonable obligations as are necessary for the purpose of carrying out its functions and duties, to submit to the National Industrial Recovery Board an itemized Budget and an equitable basis upon which necessary funds shall be contributed by members of the Industry and, if necessary, to institute in its own name legal proceedings for the collection of such funds after approval of such Budget and basis of contribution.

The amendment also provides that subject to National Recovery Administration rules and regulations each member of the Industry shall pay an equitable contribution, and unless such is paid he or it shall not be entitled to participate in the selection of Code Authority members, to receive benefit of Code Authority activities, nor to make use of any National Recovery Administration emblem or insignia.

The amendment further provides that the Code Authority shall neither incur nor pay any obligations in excess of the amount estimated in the approved Budget and that no subsequent Budget shall contain the deficiency items for expenditures in excess of prior budget estimates except as the National Industrial Recovery Board shall have approved.

While considering this amendment the National Industrial Recovery Board found that two other sections of the Code as originally approved would be inconsistent with this amendment. Since these two other sections would be no longer necessary for the purpose of the Code, and might easily be removed without making any substantial change in the Code, they were stayed by the Order approving said amendment.

The Deputy Administrator, in his final report to the National Industrial Recovery Board on the amendment to said Code, having found as herein set forth and on the basis of all proceedings in this matter:

It finds that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of the cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complied in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendment on behalf of the Industry as a whole.

(d) The amendment to the Code as amended is not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, this amendment has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

DECEMBER 29, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE WOMEN'S BELT INDUSTRY

Said Code is hereby amended by deleting therefrom subsection 8 of Section B of Article VI and by the addition of the following as a new Article:

ARTICLE VIII—ASSESSMENTS

SECTION 1. It being found necessary in order to support the administration of this Code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act, the Code Authority is authorized:

(a) To incur such reasonable obligations as are necessary and proper for the foregoing purposes, and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Code;

(b) To submit to the National Industrial Recovery Board for its approval, subject to such notice and opportunity to be heard as it may deem necessary (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the Industry;

(c) After such budget and basis of contribution have been approved by the National Industrial Recovery Board, to determine and obtain equitable contribution as above set forth by all members of the Industry, and to that end, if necessary, to institute legal proceedings therefor in its own name.

SECTION 2. Each member of the Industry shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority, determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the National Industrial Recovery Board. Only members of the Industry complying with the Code and contributing to the expenses of its administration as hereinabove provided, (unless duly exempted from making such contributions), shall be entitled to participate in the selection of members of the Code Authority or to receive the benefits of any of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

SECTION 3. The Code Authority shall neither incur nor pay any obligation substantially in excess of the amount thereof as estimated in its approved budget, and shall in no event exceed the total amount contained in the approved budget, except upon approval of the National Industrial Recovery Board; and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates except those which the National Industrial Recovery Board shall have so approved.

Approved Code No. 41—Amendment No. 2.
Registry No. 902-1-01.

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